

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Case No. 4:14CR333-RLW
)
FREDERICK GRAHAM,)
)
Defendant.)

ORDER

This matter is before the Court on Defendant's pre-trial motions: (1) *pro se* motion to dismiss the indictment for violating the Double Jeopardy Clause (ECF No. 32); (2) *pro se* motion for a bill of particulars (ECF No. 33); (3) motion to dismiss the indictment on statutory and constitutional grounds (ECF No. 35); (4) *pro se* motion to exclude evidence under Federal Rule of Evidence 403 (ECF No. 36); and (5) motion to suppress physical evidence and statements (ECF No. 14 oral, 21, 24). Pursuant to 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge David Noce, who filed a Report and Recommendation on March 11, 2015 (ECF No. 54). Defendant filed objections to the Report and Recommendation on March 27, 2015 (ECF No. 64).

The Magistrate Judge recommends that Defendant's Motions be denied. After *de novo* review of this matter, this Court adopts the Magistrate Judge's recommendation.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge (ECF No. 54) is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

IT IS FURTHER ORDERED that (1) *pro se* motion to dismiss the indictment for violating the Double Jeopardy Clause (ECF No. 32); (2) *pro se* motion for a bill of particulars

(ECF No. 33); (3) motion to dismiss the indictment on statutory and constitutional grounds (ECF No. 35); (4) *pro se* motion to exclude evidence under Federal Rule of Evidence 403 (ECF No. 36); and (5) motion to suppress physical evidence and statements (ECF No. 14 oral, 21, 24) are **DENIED**.

Dated this 27th day of March, 2015.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE